

COUNTY EXECUTIVE'S 2006 BUDGET

DEPT: COMBINED COURT RELATED OPERATIONS

UNIT NO. 2000
FUND: General - 0001

OPERATING AUTHORITY & PURPOSE

Family Court Commissioner Division

The Division of the Family Court Commissioner was created pursuant to Section 767.13(2) of the Wisconsin Statutes and is the legal extension of the Family Court Branch of the Circuit Court. The general purpose of this division is to conduct formal hearings in matters relating to marriage and actions affecting the family pursuant to Chapters 765 and 767 of the Wisconsin Statutes. It includes the Family Court Mediation Services Unit.

Register in Probate Division

Pursuant to Wisconsin Statutes, the Register in Probate maintains the records and files of all probate proceedings; receives payments of statutory fees; performs administrative services and ministerial duties in connection with mental commitment proceedings (Chapter 51), protective placement proceedings (Chapter 55), will proceedings, contests of claims and other probate proceedings; performs administrative duties directed by the judges designated to hear probate proceedings; reviews documents and makes determinations required for informal administration of estates (Chapter 865); and exercises the powers and duties of a probate court commissioner when designated to do so by a judge assigned probate jurisdiction.

In addition, the 1985 Supreme Court decision in *State ex rel. Watts v. Combined Community Services*, 122 Wis. 2d 65, requires an annual court review of every existing protective placement case to protect the constitutional rights of persons under protective placement. The costs associated with such proceedings and other operating expenses not

expressly assumed by the State are obligations of Milwaukee County [Sections 753.19 and Sections 753.016(4), Wisconsin Statutes. and *Romosco v. Milwaukee*, 108 Wis. 2d 32 (1982)].

County Funded State Court Services Division

Pursuant to Section 8, Article VII, Wisconsin Constitution, and Section 753.03, Wisconsin Statutes, the State Circuit Courts have original jurisdiction in all civil, juvenile and criminal matters. They also conduct administrative reviews. Milwaukee County comprises the First Judicial Administrative District of the State court system and has 47 judges.

Pursuant to Wisconsin Statutes, the Clerk of Circuit Court maintains the records, books and files of the Circuit Courts – Civil, Family, Criminal and Children's Divisions; collects fees and costs prescribed by law; certifies copies of judgments or other papers or records; receives and disburses payment of trust, bail or other funds pursuant to court orders; invests funds and has custody of securities held for the benefit of minors, as ordered by the Court; furnishes attorneys with legal papers; prepares the daily court calendar; processes termination of parental rights proceedings, agency adoptions and documents filed in all adoption proceedings (Chapters 48 and 882) and processes all cases. Pursuant to Chapter 100 of the Milwaukee County Ordinances and the rules of the County Board of Judges, the Clerk of Circuit Court is also Director of Court Services. Eligible jurors for the County funded state court system are summoned by the Clerk of Circuit Court.

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BUDGET SUMMARY				
Account Summary	2004 Actual	2005 Budget	2006 Budget	2005/2006 Change
Personal Services	\$ 14,662,740	\$ 14,765,516	\$ 11,112,256	\$ (3,653,260)
Employee Fringe Benefits	7,696,754	8,080,497	8,000,543	(79,954)
Services	8,906,714	8,567,469	8,474,680	(92,789)
Commodities	275,959	303,864	285,697	(18,167)
Other Charges	0	0	0	0
Debt & Depreciation	0	0	0	0
Capital Outlay	21,302	10,300	16,100	5,800
Capital Contra	0	0	0	0
County Service Charges	16,799,699	17,266,820	15,928,660	(1,338,160)
Abatements	(10,008,237)	(9,503,564)	(9,566,254)	(62,690)
Total Expenditures	\$ 38,354,931	\$ 39,490,902	\$ 34,251,682	\$ (5,239,220)
Direct Revenue	3,972,680	3,933,221	4,025,411	92,190
State & Federal Revenue	6,745,661	7,033,786	6,125,115	(908,671)
Indirect Revenue	0	0	0	0
Total Revenue	\$ 10,718,341	\$ 10,967,007	\$ 10,150,526	\$ (816,481)
Direct Total Tax Levy	\$ 27,636,590	\$ 28,523,895	\$ 24,101,156	\$ (4,422,739)

ADDITIONAL COSTS NOT INCLUDED IN TAX LEVY*				
Account Summary	2004 Actual	2005 Budget	2006 Budget	2005/2006 Change
Central Service Allocation	\$ 778,473	\$ 814,583	\$ 635,953	\$ (178,630)
Courthouse Space Rental	5,273,664	4,979,693	5,246,969	267,276
Document Services	91,625	89,588	0	(89,588)
Tech Support & Infrastructure	160,749	190,130	214,774	24,644
Distribution Services	36,084	28,639	40,592	11,953
Emergency Mgmt Services	0	0	0	0
Telecommunications	163,671	93,043	124,313	31,270
Record Center	410,984	276,453	239,903	(36,550)
Radio	0	0	0	0
Computer Charges	14,976	18,348	10,037	(8,311)
Applications Charges	59,690	75,854	107,814	31,960
Total Charges	\$ 6,989,916	\$ 6,566,331	\$ 6,620,355	\$ 54,024
Direct Property Tax Levy	\$ 27,636,590	\$ 28,523,895	\$ 24,101,156	\$ (4,422,739)
Total Property Tax Levy	\$ 34,626,506	\$ 35,090,226	\$ 30,721,511	\$ (4,368,715)

* These costs are included in other departmental and non-departmental budgets. They are reflected here to show the "total" amount of tax levy support for this Department

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ORGANIZATIONAL COST SUMMARY					
DIVISION		2004 Actual	2005 Budget	2006 Budget	2005/2006 Changes
Family Court	Expenditure	\$3,498,718	\$3,698,061	\$3,638,849	(\$59,212)
Commissioner	Abatement	(\$2,442,654)	(\$2,384,652)	(\$2,424,346)	(\$39,694)
	Revenue	\$229,338	\$319,381	\$271,171	(\$48,210)
	Tax Levy	\$826,726	\$994,028	\$943,332	(\$50,696)
Register in	Expenditure	\$2,247,527	\$2,392,770	\$2,358,932	(\$33,838)
Probate	Abatement	(\$286,356)	(\$268,761)	(\$274,678)	(\$5,917)
	Revenue	\$594,873	\$564,310	\$520,310	(\$44,000)
	Tax Levy	\$1,366,298	\$1,559,699	\$1,563,944	\$4,245
County Funded	Expenditure	\$42,616,923	\$42,903,635	\$37,820,155	(\$5,083,480)
State Court	Abatement	(\$7,279,227)	(\$6,850,151)	(\$6,867,230)	(\$17,079)
Services	Revenue	\$9,894,130	\$10,083,316	\$9,359,045	(\$724,271)
	Tax Levy	\$25,443,566	\$25,970,168	\$21,593,880	(\$4,376,288)

PERSONNEL SUMMARY				
	2004 Actual	2005 Budget	2006 Budget	2005/2006 Change
Personal Services (w/o EFB)	\$ 14,662,740	\$ 14,765,516	\$ 11,112,256	\$ (3,653,260)
Employee Fringe Benefits (EFB)	\$ 7,696,754	\$ 8,080,497	\$ 8,000,543	\$ (79,954)
Position Equivalent (Funded)*	311.6	302.9	228.7	(74.2)
% of Gross Wages Funded	94.8	93.5	94.8	1.3
Overtime (Dollars)**	\$ 139,213	\$ 162,504	\$ 162,504	\$ 0
Overtime (Equivalent to Position)	1.0	3.5	3.6	.1

* For 2004, the Position Equivalent is the budgeted amount.

** Delineated for information. (Also included in personal services.)

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PERSONNEL CHANGES				
Job Title/Classification	Action	Number of Positions/ Total FTE	Division	Cost of Positions (Excluding Fringe Benefits)
Accountant 1	Abolish	1/1	Administration	\$ (36,702)
Adm. Asst. 3 (Crts. Admin.)	Abolish	3/3	Misdemeanor/Traf-Clk Crts (1.0 FTE)	
			Civil Div-Clk of Crts (1.0 FTE)	
			Childrens Div-Clk of Crts (1.0 FTE)	(159,504)
Admin.Court Commissioner	Abolish	1/1	Misdemeanor/Traf-Crt Cmsr	(117,516)
Asst. Chief Dep. CCC (Civ. Adm.)	Abolish	1/1	Civil Div-Clk of Crts	(70,182)
Asst. Chief Dep. Clrk. SN AD	Abolish	1/1	Administration	(85,338)
Assistant Family Court Commr.	Abolish	1/.25	Family Court Commissioner IV-D	(18,634)
Clerical Asst. 1	Abolish	11.5/11.5	Jury Management (1.5 FTE)	
			Misdemeanor/Traf-Clk Crts (7.0 FTE)	
			Childrens Div-Clk of Crts (2.0 FTE)	
			Civil Div-Clk of Crts (1.0 FTE)	(395,542)
Clerical Asst. 2	Abolish	3/3	Misdemeanor/Traf-Clk Crts (1.0 FTE)	
			Childrens Div-Clk of Crts (1.0 FTE)	
			Civil Div-Clk of Crts (1.0 FTE)	(112,576)
Court Reporter	Abolish	1/1	Family Div-Crt Cmsr	(63,700)
Court Reporter State	Abolish	3/3	Childrens Div-Crts (1.0 FTE)	
			Intake Screening Ctr.(1.0 FTE)	
			Civil Div-Crts (1.0 FTE)	(106,874)
Deputy Clerk Crt. Jud. Asst.	Abolish	18/18	Family Div-Crts (1.0 FTE)	
			Felony-Crts (4.0 FTE)	
			Misdemeanor/Traf-Crts (4.0 FTE)	
			Childrens Div-Crts (2.0 FTE)	
			Childrens Div-Crt Cmsr (1.0 FTE)	
			Civil Div-Crts (5.0 FTE)	
			Civil Div-Crt Cmsr (1.0 FTE)	(842,456)
Fiscal Asst. 1	Abolish	5/5	Misdemeanor/Traf-Clk Crts (3.0 FTE)	
			Civil Div-Clk of Crts (2.0 FTE)	(183,194)
Fiscal Asst. 2	Abolish	3/3	Administration (1.0 FTE)	
			Misdemeanor/Traf-Clk Crts (2.0 FTE)	(105,636)
Full-time Court Commissioner	Abolish	9/9	Misdemeanor/Traf-Crt Cmsr (5.0 FTE)	
			Childrens Div-Crt Cmsr (1.0 FTE)	
			Civil Div-Crt Cmsr (3.0 FTE)	(976,556)
Legal Counsel (Crim)	Abolish	1/.5	Chief Judge	(45,336)
Legal Research Intern	Abolish	9/9	Civil Div-Crts	(397,980)
Management Analyst	Abolish	1/1	Misdemeanor/Traf-Clk of Crts	(33,428)
Office Support Asst. 2	Abolish	7/7	Civil Div-Clk of Crts	(224,014)
Secretary (NR)	Abolish	1/1	Administration	(39,234)
TOTAL				\$ (4,014,402)

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TOTAL COMBINED COURT RELATED OPERATIONS REVENUES				
Account Summary	2004 Actual	2005 Budget	2006 Budget	2005/2006 Change
Licenses & Permits	\$ 106,640	\$ 121,500	\$ 111,500	\$ (10,000)
Fines and Forfeitures	861,701	634,000	635,000	1,000
Interest Income	263,161	300,000	400,000	100,000
State Grants & Reimbursements				
Reimbursement for Court Reporters	272,105	260,870	98,840	(162,030)
Court Support Grant	3,590,953	3,596,258	3,585,672	(10,586)
Guardian ad litem Fees	972,508	1,963,662	975,352	(988,310)
Permanency Plan Review	591,314	572,176	578,447	6,271
Interpreter Expenses	218,794	181,600	218,800	37,200
Other Misc. State Grants & Reimburse.	26,265	33,920	34,922	1,002
WCS-OWI Project	0	0	177,529	177,529
Federal Grants & Reimbursement	1,073,710	425,300	455,553	30,253
Court Fees and Revenue	2,518,512	2,606,740	2,632,240	25,500
Record & Filing Fees	149,893	154,800	151,700	(3,100)
Other Revenue	103,566	116,181	94,971	(21,210)
Total Revenue	\$ 10,749,122	\$ 10,967,007	\$ 10,150,526	\$ (816,481)

MISSION

The mission of Combined Court Related Operations is to provide circuit courts, attorneys, persons proceeding without an attorney and all other persons involved in circuit court proceedings or other functions of the circuit courts with courteous, proficient and professional services which facilitate the operations of the circuit court system.

DEPARTMENT DESCRIPTION

The Department of Combined Court Related Operations includes the following three divisions: Family Court Commissioner, Register of Probate and County Funded State Court Services.

The **Family Court Commissioner Division** has three sections: the General Office Unit, Child Support Enforcement Unit and Family Court Mediation Services Unit.

The *General Office Unit* conducts hearings for the family matters of separation, divorce, and domestic abuse cases. This unit also provides clerical support for these activities. A portion of salaries for this unit are internally charged to the Child Support Enforcement unit for services provided to that unit.

The *Child Support Enforcement Unit* provides support to Child Support Enforcement in coordination with the County Funded State Court Services and the Family Courts. This unit conducts the paternity hearings and monitors the job search task for those individuals liable for child support. This unit also receives staff support from the General Office Unit.

The *Family Court Mediation Services Unit* was created in 1989 to provide mediation services and custody studies for the Family Courts as mandated by Section 767.11, Wisconsin Statutes. Costs of mediation and custody studies are funded by user fees, filing fees and from a portion of the fee for the sale of marriage licenses.

The **Register in Probate Division** has two sections, the Probate Administration Unit and Probate Court Support Unit.

The *Probate Administration Unit* provides administrative services for the probate system. It maintains all wills deposited for safekeeping or filed for probate, all probate records of estates, trusts, guardianships of persons and estates, conservatorship, protective placements and involuntary commitments; provides information on probate procedures, practices and the status of

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pending probate proceedings; verifies disbursements and assets in guardianship accounts; collects probate filing fees; issues certified copies of probate records; microfilms probate records and processes originals for destruction; provides the mechanism and direct public services for informal administration of estates; provides legal services associated with procedural requirements for final settlements of estates and enforcement of time limits for filing estate inventories and guardianship accounts and for closing estates; and certifies appeal records to the Court of Appeals.

The *Probate Court Support Unit* assists the courts assigned probate jurisdiction in adjudicating matters involving probate, trusts, guardianships of persons and estates, conservatorship, protective placements, involuntary commitments, temporary restraining orders and injunctions in harassment cases.

The **County Funded State Court Services Division** consists of nine sections, the Chief Judge, Domestic Violence Judicial Oversight Grant, Court Improvement Grant, Alternatives to Incarceration, Administration Section, Family Section, Criminal Section, Civil Section and Children's Section.

The *Chief Judge* is the Administrative Chief of the First Judicial Administrative District which is solely comprised of Milwaukee County. The Chief Judge is responsible for the oversight of administration of judicial activities in the 47 Circuit Courts within the District.

The *Domestic Violence Judicial Oversight Grant* and *Court Improvement Grant* sections were developed by court administrators to separate major grant programs and initiatives from on-going operations. County Board Resolution 99-268, adopted April 22, 1999, authorized the Chief Judge and Clerk of Circuit Court to seek funding from the National Institute of Justice Violence Against Women Grants Office for the purpose of obtaining a Judicial Oversight Demonstration Initiative award. The purpose of the grant is to develop and implement better procedures for domestic violence cases in Milwaukee County. There are no local matching funds required to receive the Federal grant. Milwaukee County is one of just three jurisdictions in the country to receive five-year demonstration funding from the Violence Against Women Grants Office. Presently, another grant application is in process for an extension which will run through 2006.

The *Alternatives to Incarceration* section was created in 2001 to recognize the incorporation of the Non-Departmental Alternatives to Incarceration budget (Org. 1940) into the County Funded State Court Services Division of Combined Court Related Operations. The programs under this section are designed to reduce pretrial failure to appear and re-arrest rates, enhance public safety, reduce overcrowding at the Criminal Justice Facility and House of Correction and enhance the processing and adjudication of criminal cases. The Chief Judge and the Pretrial Services Coordinator are responsible for managing and monitoring pretrial contracts, programs, and program outcomes. In addition, a Pretrial Services Advisory Board meets regularly to review program activity, outcomes and recommendations regarding program development.

The *Administration Section*, under direction of the Clerk of Circuit Court/Court Services Director, plans, directs and coordinates the operations of the Circuit Court Civil, Criminal, Family and Children's sections. It includes General Administration, Budget and Accounting, Appeals, Jury Management, and Management Information units. This section coordinates budget preparation, accounting controls, cash management and investments, personnel, courts automation, jury management and the purchase and distribution of equipment and supplies, prepares statistical reports for the court system, and prepares cases for appeal to the State Appellate Court.

In the *Family Section*, the Family Courts hear all actions affecting the family as set forth in Chapter 767, Wisconsin Statutes.

The courts in the *Criminal Section* hear, try and determine all matters for pretrial, trial and post-conviction proceedings in felony, misdemeanor and traffic matters. In addition, the Misdemeanor Courts conduct proceedings on matters in which jury demands have been filed in the municipal courts in Milwaukee County. The Clerk of Circuit Court, Criminal Section, consults with litigants and attorneys on procedural matters; processes the records for the court; receives cases from the municipal courts; accounts for and disburses fees and fines to the County Treasurer; prepares judgment rolls and case records; issues warrants and necessary documents for court actions including the issuance of occupational licenses in operating

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while intoxicated cases, and maintains records for the automated JUSTIS System.

In the *Civil Section*, the Civil Courts adjudicate small-claims, large claims, replevin and eviction actions. The Clerk of Circuit Court consults with litigants and attorneys on procedural matters, calculates costs and records judgments. This section maintains the central court files for civil and family matters. The Civil Section directs the work of the clerical staff of the court, assigns and calendars all cases in the Civil and Family Sections of the Circuit Court and supervises the processing of civil appeals to the State Court of Appeals.

The Clerk of Circuit Court, *Children's Section* consults with petitioners, court-appointed guardians, probation officers and other officials. The Children's Courts exercise jurisdiction over matters involving persons under the age of 18 years regarding delinquency, dependency, neglect, guardianships, detention and termination of parental rights. This section directs the preparation of legal processes, court orders and vouchers and maintains and files Children's Court records, including disposition of cases. This section also processes termination of parental rights proceedings, agency adoptions and documents filed in all adoption proceedings (Chapters 48 and 882).

BUDGET HIGHLIGHTS

DEPARTMENTAL

- Personal Services expenditures without fringe benefits decrease \$3,653,260 from \$14,765,516 to \$11,112,256. Funded positions decrease 74.2 positions, from 302.9 to 228.7.
- Milwaukee County is responsible for certain costs associated with the operation of the State Circuit Court System. Some of these costs are partially reimbursed with revenues from the State of Wisconsin. Fees paid to outside vendors by Combined Court Related Operations are necessary to support court proceedings as determined by a judicial officer. The fee amounts are determined either by State Statute or local judicial directive, as approved by the Chief Judge of the First Judicial District. The table below highlights the major fees paid by all Milwaukee County court divisions in subsidizing the State Circuit Court System.

Major Expenses	2005 Budget	2006 Budget	2005/2006 Change
Legal Fees-General	\$ 390,000	\$ 400,000	\$ 10,000
Guardian ad Litem Fees	2,244,611	2,229,611	(15,000)
Adversary Counsel Fees	1,300,000	1,300,000	0
Psychiatrist Fees	495,000	470,000	(25,000)
Transcript Fees Outside Services	149,300	145,850	(3,450)
Interpreter Fees	228,920	236,920	8,000
Juror Expenses (Meals, Hotel, Fees)	751,300	753,100	1,800
TOTAL	\$5,559,131	\$5,535,481	\$ (23,650)

- The State of Wisconsin has appropriated \$18.7 million for payments to counties under the Circuit Court Support Grant Program for State fiscal years 2004-2005. This budget projects the same revenue as 2005. A county's circuit court support payment is based on the following: 1) \$42,275 is paid for each county's circuit court branch, with shared branches serving overlapping counties receiving a proportional share of this amount based on judicial weighted caseload; 2) \$10,000 is provided for each county with one or fewer branches; and 3) remaining funds available under the State's appropriation are apportioned to counties having more than one branch, based on population.

For 2006, \$3,585,672 is budgeted for the Circuit Court Support Grant, a decrease of \$10,586 from the 2005 Budget. This variance is due to a State mid year correction.

- The State also reimburses counties to offset costs related to Guardian ad Litem (GAL) services. During State fiscal years 2004-2005, \$4,738,500 is appropriated to be distributed to counties based on each county's proportionate share of: 1) court branches; 2) revenue generated by the circuit court support fee; and 3) the number of cases that would likely involve GAL services (case filings under Chapters 48, 55, 767, and 880, Wisconsin Statutes).

Revenue for GAL services decreases by approximately \$1.0 million to \$975,352 from \$1,963,662 in 2005. After the County adopted its 2004 Budget, the County Executive, Chief Judge and County Board Chairman joined together in petitioning the State Legislature to increase the GAL grant through an increase in

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filing fees. However, the legislative session expired prior to the bill being considered.

Milwaukee County again pursued reimbursement of GAL costs in the 2005-2007 State of Wisconsin Budget to increase reimbursement of Milwaukee County's GAL costs by approximately \$1,900,000 over the biennium. For 2005, this reflected revenue of approximately \$950,000. Again, this action failed.

As state reimbursement revenue for GAL services decreases by approximately \$1.0 million for 2006, a corresponding expenditure and tax levy reduction is taken to offset the decrease in state funding. The reduction is achieved through abolishing the following positions: one Accountant 1, three Fiscal Assistant 1, three Fiscal Assistant 2, nine Legal Research Interns and seven Office Support Assistant 2. The result is a salary and social security savings of \$871,894.

- In the 2005 Budget, the Department of Administrative Services (DAS), in cooperation with the Sheriff's Department and Courts were ordered to perform an analysis to identify more effective and efficient methods of utilizing Bailiffs by the Combined Court Related Operations and redeploying them elsewhere in the Sheriff's Department during periods of down time. DAS-Fiscal Affairs examined data from both Courts and the Sheriff's Department to fully understand staffing needs. The primary source for court data comes from the Consolidated Court Automation Programs (CCAP). The primary source for Sheriff data is labor distribution data from payroll. The 2004 data examined is at the employee level and includes hours worked, date, activity, overtime and total earnings. By focusing attention at both the court level and the sheriff level it was possible to gauge the use of bailiff services. The DAS analysis results in a 2006 bailiff reorganization staffing plan to ensure that bailiff staffing matches courtroom activity.
- Highlighted in the table below is the 2006 redeployment based on the above analysis. The 2006 bailiff staffing plan provides for 82 sworn positions, including 78 Deputy Sheriff 1 positions, three Deputy Sheriff Sergeants, one Deputy Sheriff Captain, one Clerical Assistant

and 9000 overtime hours to cover 71 posts. The crosscharge of \$8,193,699 from the Sheriff's Department is a decrease of \$1,430,491 from the 2005 Budget.

BAILIFF POSTS	
Felony (including preliminary)	23
Misdemeanor and Traffic	19
Intake Court	2
Family Branches & Commissioners	7
Children's Court Judges & Commissioners	12
Security	8
Total Posts	71

- All departments are required to operate within their expenditure appropriations and their overall budgets. Pursuant to Section 59.60(12), Wisconsin Statutes, "No payment may be authorized or made and no obligation incurred against the county unless the county has sufficient appropriations for payment. No payment may be made or obligation incurred against an appropriation unless the director first certifies that a sufficient unencumbered balance is or will be available in the appropriation to make the payment or to meet the obligation when it becomes due and payable. An obligation incurred and an authorization of payment in violation of this subsection is void. A county officer who knowingly violates this subsection is jointly and severally liable to the county for the full amount paid. A county employee who knowingly violates this subsection may be removed for cause."

FAMILY COURT COMMISSIONER DIVISION

- Personal Services expenditures without fringe benefits increase by \$13,604 from \$1,870,033 to \$1,883,637. Funded positions decrease 2.25 positions from 30.75 to 28.5.
- The Family Court Commissioner-IV-D section provides support to the Department of Child Support Enforcement in coordination with the Sheriff, County Funded State Court Services and the Family Courts. The 2006 crosscharge to the Department of Child Support is \$2,131,246, which is \$69,613 higher than 2005.
- The \$256,563 cost contained in the Family Court Mediation Services section is offset with

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revenues collected from filing fees in certain family cases and user fees for mediation and custody study services and from a portion of the sale of marriage licenses. If, during 2006, the actual revenue received from these sources exceeds actual expenditures, the State mandates that the excess revenue be set-aside in a reserve account to offset future operating costs in this section. For 2006, a contribution of \$13,063 from the reserve is budgeted for a zero tax levy in this section.

REGISTER IN PROBATE DIVISION

- Personal Services expenditures without fringe benefits increase by \$25,129 from \$971,998 to \$997,127. Funded positions decrease .3 positions from 18.3 to 18.0.
- Legal Fees decrease \$40,000 from \$210,000 to \$170,000 due to a decrease in the number of cases the Legal Aid Society is handling for Milwaukee County.
- Guardian ad Litem fees decrease by \$15,000 from \$180,000 to \$165,000 as a result of reduced appointments.
- Revenue from the State to offset GAL court costs for the Register in Probate Division decreases \$2,000 from \$92,370 to \$90,370.

COUNTY FUNDED STATE COURT SERVICES DIVISION

2006 Personal Services

- For the County Funded State Court Services Division, Personal Services expenditures without fringe benefits decrease by \$3,691,993 from \$11,923,485 to \$8,231,492. Funded positions decrease 71.6 positions from 253.8 to 182.2.
- In 2005 DAS-Fiscal Affairs examined data from the Consolidated Court Automation Programs (CCAP). CCAP provides automation tracking the progress of cases through the system and includes a Court Information Repository (CIR) application that automatically captures data on cases in each county by extracting information on an hourly basis. DAS-Fiscal Affairs obtained the CIR data for all of 2004. This information is used to measure judicial caseload, document

the need for judgeships and provide information for court management reports that are used to help allocate resources within the court system. While CCAP data is used to track the need for new judgeships it is also useful in tracking courtroom activity time.

In 2004 Milwaukee County had 47 Branch Judgeships plus 23.75 Court Commissioners. The CCAP data documents court activity for each individual Branch Judge along with any temporary judicial positions. The CCAP data captured all courtroom activity for the 47 Branch Judges and five family court commissions and four paternity courts. Data for the Court Commissioner Courtrooms is kept at the aggregate level, and does not identify the individual commissioner for the family courts and paternity courts. Including a temporary branch there were 57 combined Courtrooms in 2004.

The total number of Courtroom Activity days for these 57 combined Courtrooms in 2004 was 10,966, which equates to 76 percent of the number of non-holiday days. With paid time off (PTO) it is understandable that no Judge would be expected to have Courtroom activity time for all non-holiday days. For example if each Branch and Court Commission is granted 30 days of PTO that would equal 1,710 PTO days. This reduces the total number of eligible non-holiday days to 12,711, which calculates to courtroom activity days representing 86 percent of the number of non-holiday days.

2004 Analysis of Courtroom Information Repository Data

Total Number of Courtroom Activity Days for Combined Branch Judgeships and Commissioners	10,966
Total Number of Non-Holiday Days for Combined Judgeships and Commissioners	14,421
Total Number of Estimated Paid Time Off Days for Combined Judgeships and Commissioners	1,710
Total Number of Non-Holiday Days Accounting for Paid Time Off for Combined Judgeships and Commissioners	12,711
Courtroom Activity Days as a Percent of Total Number of Non-Holiday Days Accounting for Paid Time Off for Combined Judgeships and Commissioners	86%

Reduction of County funded courtroom staff based on CCAP courtroom activity data results in abolishing the following 52 positions including: three Administrative Assistant 3 (Crts. Admin.) one Administrative Court Commissioner, one Assistant Chief Deputy CCC (Civ. Adm.), one

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Assistant Chief Deputy Clerk. SN AD, 11.5 Clerical Assistant 1, three Clerical Assistant 2, 18 Deputy Clerk Court Judicial Assistant, two Fiscal Assistant 1, nine full-time Court Commissioner, 0.5 Legal Counsel (Criminal), one Management Analyst and one Secretary (NR). This action results in a salary and social security savings of \$2,953,300.

- For 2006, three Court Reporter-State positions are abolished for no tax levy savings due to an agreement with the State that when Court Reporter positions become vacant, the position is abolished as a County job and recreated as a State position. State reimbursement is reduced to reflect this change. In addition, one Court Reporter-County is abolished in a pilot program where a Recorder Box is substituted for the employee. Formerly this position was fully funded by Child Support Enforcement.
- An Assistant Family Court Commissioner .25 FTE is abolished due to the completion of a grant.
- A total of \$2,161,580 is budgeted within the Alternatives to Incarceration section to provide funding for programs developed by the Chief Judge's Work Group on Pretrial Services. This is an increase of \$178,546 over 2005. Of this increase, \$177,529 provides contractual service for an Operating While Intoxicated (OWI) program. In the 2006 Budget, the OWI program will be managed and overseen within the County Funded State Court Services Division of Combined Courts. Previously the program was managed at the State level. The cost of this ongoing program is offset by \$177,529 in additional state revenues. With the exception of this \$177,529, the Alternatives to Incarceration is entirely levy funded. Contracts with previous vendors (WCS, In-House Correctional Services and Justice 2000) continue in 2006 with no change in tax levy. The courts will continue to administer the contract with the Wisconsin Community Services for the provision of pretrial services. The Chief Judge is responsible for managing and monitoring the pretrial programs developed by the Chief Judge's Work Group for Pretrial Services.
- Funding for the Legal Resource Center of \$214,000 is eliminated for 2006.

- The Domestic Violence Judicial Oversight Initiative continues in 2006 with a budget of \$394,533 which reflects an increase of \$18,744 in expenditures. Revenues are budgeted at \$394,533 to completely offset expenditures. The objective of the program is twofold: enhance support for victims and intensify monitoring and treatment of batterers.

The original five-year grant, from the National Institute of Justice, ran from 2000 through 2004 and reimbursed 100 percent of the costs associated with this program, primarily 16 full-time equivalent (FTE) positions and contracts with outside agencies. Although this grant, authorized under the Violence Against Women Act, was originally scheduled to end in 2004, the department submitted and received approval of a grant extension for \$700,000. The grant extension will run through 2005 and will fund four FTE positions within Courts as well as contracts with outside agencies. Presently, another grant application is in process for another extension which will run through 2006. If approved, the department will submit an appropriation transfer in the spring of 2006 to the County Board if the new award is greater than the current amount of \$394,533 which is being budgeted at this time. If there is no grant extension four grant funded FTEs will be abolished in 2006 including: 0.5 Accountant 2, 1.5 Deputy Clerk of Court Judicial Assistant, .75 Victim Advocate (DV), .75 Program Coordinator (JOI), 0.5 full-time Court Commissioner.

- One position of Audio Visual Technician, created in 1999 for the video conferencing initiative in the courts, is continued at a Personal Services cost of \$62,177 and offset with \$61,020 in Federal Justice Assistance Grant (JAG) revenue for a total levy commitment \$1,157. The revenue amount was approved by the County Board in Spring 2005 when Milwaukee County was awarded the grant. The initiative allows court participants in certain cases to appear via video and telephone link-ups. The goal is to reduce the cost of transporting inmates, especially from remote facilities, and lessen the security risk to the community.
- Juror costs are budgeted at \$753,100 for 2006, an increase of \$1,800 over 2005. This includes

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\$678,600 for Juror Fees, \$64,500 for Juror Meals and \$10,000 for Juror Hotel bills.

- Appropriations for capital items are \$16,100 for replacement of two copy machines.
- State reimbursement decreases \$936,924, from \$6,516,116 to \$5,579,192 in 2006. This is mostly due to the GAL reimbursement discussed above. The table that follows identifies changes to State grant and reimbursement revenue for the County Funded State Court Services Division.

STATE GRANTS & REIMBURSEMENT			
County Funded State Court Services	2005 Budget	2006 Budget	2005/2006 Change
Court Support Grant	\$3,596,258	\$3,585,672	\$ (10,586)
Guardian ad Litem Fees	1,871,292	884,982	(986,310)
Permanency Plan Review	572,176	578,447	6,271
Interpreter Reimbursement	181,600	218,800	37,200
Reimbursement for Court Reporters	260,870	98,840	(162,030)
Support Staff for Chief Judge	33,920	34,922	1,002
WCS - OWI Project	0	177,529	177,529
TOTAL	\$6,516,116	\$5,579,192	\$ (936,924)

- For 2006, the Permanency Plan Review Project has expenditure authority of \$578,447, which is completely offset with State revenue. The project provides children in an out-of-home situation with a review every six months by the court. Revenue from the Bureau of Child Welfare funds six full-time position equivalents, which are asterisked or identified for abolishment if State funding is discontinued.
- Revenues from the Interest on Investments account have increased \$100,000 from \$300,000 to \$400,000 in 2006 due to realigning monies at banks and seeking better returns.

- Revenue in Legal Fee Recovery increases \$100,000 from \$155,000 to \$255,000 in 2006 for GAL reimbursements. The Clerk of Circuit Court Division has more actively pursued these revenues by employing a collection agency.
- The Clerk of Circuit Court is requesting authority to enter into the following Professional Service Contracts in 2006. They are included in this budget for County Board approval in lieu of separate review and approval during the budget year. These contracts are with an identified vendor.

Contract Amount	Description	Provider
\$812,871	Pretrial Service Prog	WI Comm Svs
\$6,500	WCS-Drug Testing	WI Comm Svs
\$177,529	WCS-OWI Project	WI Comm Svs
\$381,000	In-Home Detention	In-House
	Monitoring	Correctional Svs
\$683,596	Mental Health	Justice 2000
	Intervention	
\$1,496,344	Court Appointed Attorneys	Legal Aid Society

- The abatement from Department of Child Support decreases \$87,067 from \$827,720 to \$740,653 in 2006 due to the elimination of billing for a court reporter.

COUNTY EXECUTIVE'S 2006 BUDGET**DEPT:** COMBINED COURT RELATED OPERATIONS**UNIT NO.** 2000**FUND:** General - 0001

ACTIVITY & STATISTICAL SUMMARY				
	<u>2004 Budget</u>	<u>2004 Actual</u>	<u>2005 Budget</u>	<u>2006 Budget</u>
FAMILY COURT COMMISSIONER DIVISION				
Divorce/Compel Support Motions Scheduled	9,950	8,147	7,500	7,500
Paternity Motions Scheduled	30,000	28,942	28,500	28,500
Domestic Abuse/Child Abuse TRO Hearings	3,200	3,630	3,600	3,600
Harassment TRO Hearings	3,000	3,374	2,900	3,200
Child Abuse TRO Hearings	200	93	120	120
Domestic Abuse Injunction Hearings	5,000	4,836	4,500	4,800
Harassment Injunction Hearings	4,000	4,322	2,900	4,300
Default Hearings Heard for Judges	1,050	1,023	1,100	1,100
"Walk-In" Matters-Divorce/Paternity	3,500	1,232	3,100	1,200
Review of Stipulations/Issuances of Orders	2,400	3,055	2,400	3,000
Case Inquiries-By Phone and Mail	5,000	4,629	4,500	4,500
Referrals from Judges for FCC Hearings	100	68	75	75
Review and Sign Orders Presented to FCC	17,000	16,896	17,000	17,000
REGISTER IN PROBATE DIVISION				
Informal Administration	1,725	1,533	1,700	1,435
Adult Adoptions	5	19	5	5
Trust, Openings	45	38	40	30
Wills for Safekeeping	130	130	130	130
Summary Proceedings, Special Admin	295	295	320	270
Descent, Life Estates	7	7	5	5
Guardianships/Conservatorship Opened	720	638	705	605
Protective Placement Cases Filed	520	491	505	430
Mental Commitment Cases Filed	3,575	4,215	4,165	4,180
Probate Proceeding in Court	285	188	235	185
WATTS Reviews	N/A	N/A	2,000	2,000

COUNTY EXECUTIVE'S 2006 BUDGET**DEPT:** COMBINED COURT RELATED OPERATIONS**UNIT NO.** 2000**FUND:** General - 0001

ACTIVITY & STATISTICAL SUMMARY (continued)				
	<u>2004 Budget</u>	<u>2004 Actual</u>	<u>2005 Budget</u>	<u>2006 Budget</u>
COUNTY FUNDED STATE COURT SERVICES DIVISION				
<u>Family Section</u>				
Total Family Cases Filed	16,000	12,534	15,600	14,000
Divorce Cases Filed (27%)	3,900	3,567	4,000	4,000
Other Family Matters Filed (27%)	5,100	2,315	4,300	3,000
Paternity Cases Filed (46%)	7,000	6,652	7,300	7,000
Cases Disposed	16,300	11,927	15,600	13,700
Cases Pending End-of-Year	5,700	5,963	5,700	6,000
<u>Criminal Section</u>				
Cases Filed	77,000	68,344	75,000	62,000
Cases Disposed	75,000	66,469	69,000	62,000
Cases Pending End of Year	15,000	19,014	20,000	20,000
Traffic Cases Filed	46,500	37,670	44,000	31,000
Criminal Traffic Cases Filed	13,000	13,694	14,000	14,000
Misdemeanor Cases Filed	10,500	10,050	10,000	10,000
Felony Cases Filed	7,000	6,930	7,000	7,000
<u>Civil Section</u>				
Cases Filed	49,000	54,243	51,500	54,500
Cases Disposed	49,000	55,006	51,500	55,000
Cases Pending End of Year	5,500	4,847	5,500	5,000
Small Claims Filed	37,000	40,379	38,000	41,000
Large Claims Filed	12,000	13,864	13,500	13,500
<u>Children's Section</u>				
Cases Filed	8,000	7,306	7,900	7,100
Cases Disposed	8,300	7,407	8,000	7,100
Cases Pending End of Year	2,700	2,374	2,600	2,600
Delinquency Petitions	2,700	2,577	2,800	2,600
CHIPS	1,900	1,994	2,100	2,100
Other Juvenile Matters	3,400	2,735	3,000	2,400